

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	Case No. 1:17-cr-23-7
)	
v.)	District Judge Curtis L. Collier
)	
PHILLIP HOOTON)	Magistrate Judge Christopher H. Steger

ORDER

United States Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 204) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to a lesser included offense of Count One of the thirteen-count Superseding Indictment; (2) accept Defendant's guilty plea to a lesser included offense of Count One of the thirteen-count Superseding Indictment; (3) adjudicate Defendant guilty of conspiracy to distribute and possess with intent to distribute more than 50 grams of a mixture and substance containing a detectable amount of methamphetamine in violation of Title 21 United States Code §§ 841(a)(1), 841(b)(1)(B) and 846; and (4) order that Defendant remain in custody until further order of this Court or sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 204) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count One of the thirteen-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the thirteen-count Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of conspiracy to distribute and possess with intent to distribute more than 50 grams of a mixture and substance containing a detectable amount of methamphetamine in violation of Title 21 United States Code §§ 841(a)(1), 841(b)(1)(B) and 846;
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
5. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter, which is scheduled to take place on March 21, 2018, at 2:00 p.m. before the undersigned.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE